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10 Attorneys for Receiver
ROBB EVANS OF ROBB EVANS &
 11 **ASSOCIATES LLC**

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

17 v.

18 JEREMY JOHNSON, etc., et al.,

19 Defendants.

Case No. 2:10-CV-02203-MMD-GWF

**[AMENDED PROPOSED] ORDER
 GRANTING MOTION FOR ORDER:
 (1) APPROVING AND CONFIRMING
 SALE OF 5 SOUTH 500 WEST #1105,
 SALT LAKE CITY, UTAH AND FOR
 RELATED RELIEF; AND
 (2) GRANTING RELIEF FROM LOCAL
 RULE 66-5 PERTAINING TO NOTICE
 TO CREDITORS**

22 The matter of the Motion for Order: (1) Approving and Confirming Sale of 5 South 500
 23 West #1105, Salt Lake City, Utah and for Related Relief; and (2) Granting Relief from Local Rule
 24 66-5 Pertaining to Notice to Creditors ("Motion") (Doc. No. 1382) filed by Robb Evans of Robb
 25 Evans & Associates LLC ("Receiver"), the Receiver pursuant to the Court's Preliminary
 26 Injunction Order issued February 10, 2011, came on regularly before the Court for determination,
 27 the Honorable Miranda M. Du, United States District Judge presiding. The Court, having
 28 reviewed and considered the Motion and all pleadings and papers filed in support thereof, and no

1 timely responses or oppositions to the Motion having been filed thereto, and the Receiver having
 2 filed its Notice of Amendment to the Motion ("Sale Amendment") with the Declaration of M. Val
 3 Miller in support thereof ("Second Miller Declaration"), and good cause appearing therefor,

4 IT IS ORDERED that:

5 1. The Motion as amended by the Sale Amendment, and all relief sought therein, is
 6 granted in its entirety;

7 2. Without limiting the generality of the foregoing:

8 A. The Receiver's proposed sale of the property located at 5 South 500 West
 9 #1105, Salt Lake City, Utah ("Salt Lake Condominium") for a purchase price of \$215,000 to JBB
 10 Property Management ("Replacement Buyer") pursuant to the Real Estate Purchase Contract dated
 11 as of March 6, 2014 together with the related Addendum No. 1, the Additional Terms provisions
 12 and "As-Is" Sale Attachments thereto (collectively the "Replacement Purchase Agreement"), a
 13 true and correct copy of which is attached as Exhibit 1 to the Second Miller Declaration, is hereby
 14 approved and confirmed without further notice, hearing, overbidding or order;

15 B. In connection with the sale, the Receiver is authorized to execute all
 16 documents and instruments necessary or convenient to complete, implement, effectuate and close
 17 the sale to the Replacement Buyer pursuant to the terms and conditions of the Replacement
 18 Purchase Agreement and this Order, including but not limited to executing the deed, on behalf of
 19 the record title holder Phoenix Rising, LLC, conveying title to the Salt Lake Condominium to the
 20 Buyer;

21 C. The Receiver is authorized to permit and/or cause to be paid from the
 22 proceeds of sale of the Salt Lake Condominium all ordinary and customary closing costs, all costs
 23 and expenses required to be paid under the terms of the Replacement Purchase Agreement by the
 24 seller from the proceeds of sale, all commissions provided for in the Exclusive Right to Sell
 25 Listing Agreement, Exhibit 1 to the Declaration of M. Val Miller in support of the Motion, and the
 26 Replacement Purchase Agreement, Exhibit 1 to the Second Miller Declaration, and all real
 27 property taxes due up to date of closing;

28 D. The Receiver is authorized to complete the sale of the Salt Lake

1 Condominium without further notice, order or overbidding;

2 E. Notice of the Motion is deemed sufficient under Local Civil Rule 66-5
3 based on the service of the notice of filing of the Motion and the Motion on all parties and the
4 affected lienholders, and service of the notice of the filing of the Motion on all known non-
5 consumer creditors of the estate and known taxing authorities with a potential claim in the
6 receivership estate concurrent with the filing of the Motion with the Court.

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9 Dated: July 30, 2014



MIRANDA M. DU
United States District Judge

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CERTIFICATE OF SERVICE

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 300 S. Grand Avenue, Suite 1400, Los Angeles, CA 90071.

5 On March 24, 2014, I served the [AMENDED PROPOSED] ORDER GRANTING
6 **MOTION FOR ORDER: (1) APPROVING AND CONFIRMING SALE OF 5 SOUTH 500**
7 **WEST #1105, SALT LAKE CITY, UTAH AND FOR RELATED RELIEF; AND (2)**
8 **GRANTING RELIEF FROM LOCAL RULE 66-5 PERTAINING TO NOTICE TO**
9 **CREDITORS** upon the parties and/or counsel listed and by the methods indicated on the attached
10 Service List.

I declare upon the penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed on March 24, 2014 at Los Angeles, California.

/s/ *Kathleen Cwik*

SERVICE LIST

The following CM/ECF participants were served by electronic means on March 24, 2014:

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21 The following non-CM/ECF participants were served by first-class mail, postage prepaid
 22 on March 24, 2014:

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9

10 **SPECIAL NOTICE PARTIES -- MAIL**

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